ENTERED

December 09, 2019 David J. Bradley, Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS GALVESTON DIVISION

HEATHER L. BENNETT as Next	§	
Friend of CARTER JAMES BENNETT,	§	
	§	
Plaintiff.	§	
	§	
VS.	§	CIVIL ACTION NO. 3:19-CV-00064
	§	
ANDREW SAUL, COMMISSIONER	§	
OF THE SOCIAL SECURITY	§	
ADMINISTRATION,	§	
	§	
Defendant.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S MEMORANDUM AND RECOMMENDATION

On June 28, 2019, this case was referred to United States Magistrate Judge Andrew M. Edison pursuant to 28 U.S.C. § 636(b)(1)(B). Dkt. 8. On November 11, 2019, Judge Edison filed a Memorandum and Recommendation (Dkt. 13) recommending that Plaintiff's Motion for Summary Judgment (Dkt. 10) be **GRANTED**, Defendant's Motion for Summary Judgment (Dkt. 11) be **DENIED**, the decision of the Commissioner be **REVERSED**, and the case be **REMANDED** for reconsideration in accordance with this opinion and applicable law.

No objections have been filed to the Memorandum and Recommendation. Accordingly, the Court reviews the Memorandum and Recommendation for plain error on the face of the record. 28 U.S.C. § 636(b)(1); *see also*, FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the Court finds that there is no plain error apparent from the face of the record. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that:

- (1) Judge Edison's Memorandum and Recommendation (Dkt. 13) is **APPROVED and ADOPTED** in its entirety as the holding of the Court;
- (2) Plaintiff's Motion for Summary Judgment (Dkt. 10) is **GRANTED**;
- (3) Defendant's Motion for Summary Judgment (Dkt. 11) is **DENIED**;
- (4) The decision of the Commissioner is **REVERSED**; and
- (5) The case is **REMANDED** for reconsideration in accordance with this opinion and applicable law.

It is so **ORDERED**.

SIGNED and ENTERED this 9th day of December, 2019.

JEFFREY VINCENT BROWN UNITED STATES DISTRICT JUDGE